

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



NATIONWIDE MUTUAL INSURANCE COMPANY,

Plaintiff,

v.

Case No. 2:10cv310

1400 HAMPTON BLVD., LLC, et al.,

Defendants.

DOUGLAS SHEPHERD, et al.,

Plaintiffs,

v.

Case No. 2:10cv343

NATIONWIDE MUTUAL INSURANCE COMPANY, et al.,

Defendants.

ORDER

This matter comes before the court on the following motions: Motion for Realignment of Parties, filed by defendant, Nationwide Mutual Insurance Company, (Case No. 2:10cv343, ECF No. 6) on July 28, 2010; and Motion to Remand, filed by plaintiff, 1400 Hampton Boulevard Condominium Association, Inc. ("Association"), (Case No. 2:10cv343, ECF No. 14) on August 10, 2010. These matters were referred to a United States Magistrate Judge by order of October 13, 2010 (Case No. 2:10cv343, ECF No. 37), pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Federal Rule of

Civil Procedure 72(b), to conduct hearings, including evidentiary hearings, if necessary, and to submit to the undersigned proposed findings of fact, if applicable, and recommendations for the disposition of the motions.


The United States Magistrate Judge's Report and Recommendation was filed on December 2, 2010. The magistrate judge recommended that Nationwide Mutual Insurance Company's Motion for Realignment of Parties be granted, and that the Association's Motion to Remand be denied.

By copy of the report and recommendation of the magistrate judge, the parties were advised of their right to file written objections thereto. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired. The court does hereby adopt and approve in full the findings and recommendations set forth in the Report and Recommendation of the United States Magistrate Judge filed December 2, 2010. Accordingly, Nationwide Mutual Insurance Company's Motion for Realignment of Parties (Case No. 2:10cv343, ECF No. 6) is **GRANTED**, and the Association's Motion to Remand (Case No. 2:10cv343, ECF No. 14) is **DENIED**.

The Clerk shall forward a copy of this Order to all parties of record.

It is so **ORDERED**.

Dated: December 30, 2010

/s/ - 
Rebecca Beach Smith
United States District Judge